

MONTEREY BAY NATIONAL MARINE SANCTUARY  
CONSERVATION WORKING GROUP (CWG)  
MEETING MINUTES

Tuesday, June 20, 1995, 10:00 a.m. - 12:30 p.m.  
Moss Landing Harbor District Office

The Conservation Working Group met on Tuesday, June 20, 1995 at the Moss Landing Harbor District Office. Working group members in attendance were Rachel Saunders, Chair (Center for Marine Conservation); Vicki Nichols (Save Our Shores); Thomas LaHue (Surfrider Foundation); Jack Wickham (Sierra Club - Ventana Chapter); and Daphne White (League of Women Voters). Also present were Mark Pickett and Jane DeLay (MBNMS). Special guests were Mr. Patrick Cotter, a water quality specialist at MBNMS/CCC, and Dr. Khosrow Lashkari, an engineer at the Monterey Bay Aquarium Research Institute (MBARI).

I. CWG Administration

- 1) The meeting was called to order at 10:15 a.m.;
- 2) The Draft Meeting Minutes were presented and approved as amended;
- 3) Review of the Agenda and New Items for Discussion --The discussion on the Sanctuary Advisory Council's Retreat was moved to the July meeting;
- 4) July Meeting Date and Suggested Agenda Items -- The next business meeting will be Tuesday, July 11 from 10:00 a.m. - 12:30 p.m. at the Moss Landing Harbor District Office.

Members requested that the July agenda include:

- ‘ an update on the Outer Continental Shelf (OCS) moratorium's status;
- ‘ an update on the status of NOAA's budget;
- ‘ a report on the Sanctuary Advisory Council's Retreat;
- ‘ a final draft of the noise pollution letter.

5) Announcements --

\* The next Sanctuary Advisory Council meeting is June 30 - the proposed Agenda includes:

- 1) Swearing in of the New Tourism Representative;
- 2) Brief report on the RETREAT;
- 3) Discussion of NOAA's budget status;
- 4) Marketing of the MBNMS License plate;
- 5) Updates on the status of the Mussel watch program, Piedras Blancas elephant seal harassment, and the Vessel Traffic Safety Report;
- 6) WQPP Presentation;
- 7) Aquarivan presentation;
- 8) Reports from the two new Task Forces;
- 9) Working group reports;

\* July Meeting Announcements:

˘ The July meeting of the Sanctuary Advisory Council is Friday, July 28 at a place to be determined;

˘ The Sanctuary Education Panel will meet at Long Marine Lab in Santa Cruz from 2:30 p.m. - 5:30 p.m. on Thursday, July 20;

˘ The Research Activity Panel will meet on Friday, July 21 from 9:00 - 12:00 p.m. at Elkhorn Slough Reserve;

\* Vicki Nichols announced that there will be a press briefing and discussion on the Coastal Zone Management Act, Clean Water Act, and Coast Alliance's Report "State of the Coasts" on June 27 from 2:00 p.m. - 5:00 p.m. at the offices of Save Our Shores. Contact Vicki Nichols at SOS for more information.

\* Conservation Working Group members were reminded that the license plate brochures are available and all are requested to help promote the plates.

## II. Report from the Sanctuary Office

The Sanctuary office report included the following:

- 1) A report on the status of changes to NOAA's budget and their impact on the Sanctuary Program;
- 2) The ATOC project and the status of necessary permits from the CCC and the MBNMS;
- 3) Bob Jones from NMFS is leaving at the end of July for a supervisory job in Bellingham, WA. (NOTE: The Sanctuary has been informed that a replacement for Bob should be in Monterey by Fall 1995.);
- 4) No report yet from State Parks regarding their contribution to enforcement measures in the Sanctuary;
- 5) The Vessel Traffic Safety Report has been completed and is moving forward for signatures -- currently in NOAA;
- 6) The Research Coordinator contract bids close this week;
- 7) 75k has been allotted for marine mammal studies -- the money may go to the CBNMS/GFNMS;
- 8) The Sanctuary provided funding for approximately six projects presented by the RAP;
- 9) A Sanctuary internet home page is now available;
- 10) Liz Love is back from maternity leave -- she is working part-time; Kip Evans is full-time. They are working on producing a new Sanctuary newsletter, printing more brochures, developing school projects targeted for younger children, working in cooperation with Long Marine Lab to write a book for children, and the birthday celebration. Kip is also working on public outreach for the WQPP;
- 11) WQPP is working on strategies for addressing urban run-off; and,
- 12) The Sanctuary office is open to providing work for good student interns -- if you know of anyone please refer them to the office.

In response to Conservation Working Group queries at the May meeting, the Sanctuary office reported:

- 1) NOAA's authority for managing noise in the Sanctuary -- Negative effects on marine mammals must be proven before the Sanctuary can take action;

- 2) questions regarding management of the northern end of the MBNMS (i.e., either the MBNMS or the CBNMS/GFNMS) - The decision has to come from above (SRD Chief). To date, nothing has been finalized concerning this situation;
- 3) Inter-Sanctuary communication and coordination -- There is always room for better communication and the Sanctuary office is always trying to improve.

Conservation Working Group members suggested that the Sanctuary managers and their supervisors plan a conference call on a weekly basis to update each other on current happenings within the different Sanctuaries.

### III. Sanctuary Water Quality and Related Items

1) Mr. Pat Cotter from the MBNMS provided an update on the Water Quality Protection Program and key water quality issues. In addition, he answered questions about the impacts to the Sanctuary from the January and March floods. Highlights of his presentation included:

- ' the desire to have us refer to the program as "environmental quality" not just "water quality";
- ' developing and improving public outreach and a regional monitoring program will be key components in EPA's becoming more involved in the WQPP;
- ' there is a need for greater Regional Board involvement in the WQPP;
- ' the MOA on Water Quality is working surprisingly well, it has been an important catalyst for discussion and information exchange. The permitting process has also gone well thus far. The MBNMS sends a draft of their comments and letters early to the Regional Board staff so concerns can be addressed early on. Pat expressed concern that the Army Corps of Engineers activities are not a part of the MOA, but commented that he maintains communication with them;
- ' Army will now be funding clean-up work and sampling analyses on areas offshore of Fort Ord;
- ' San Francisco fall-out is a big concern, primarily because of combined sewer overflow and huge volume;
- ' The Cambria desalination plant would be the first new discharger in the Sanctuary and could be precedent setting. The MBNMS is tracking the project closely. Contact Pat Cotter at 647-4252 or 427-4863. (NOTE: The Research Activity Panel has formed a special sub-committee to investigate the project and will present their initial findings at the July meeting.)

Pat provided CWG members with the following materials:

- 1) MBNMS Master NPDES Permit Database;
- 2) Synopsis of the MBNMS Memorandum of Agreement on Water Quality; and
- 3) MBNMS Environmental Quality Projects. (See Attachments)

The working group requested that Pat Cotter be invited to provide a quarterly presentation on Water Quality. For more information about the program, contact Pat at 647-4252 or 427-4863.

2) Update on the Clean Water Act -- CWG members were informed that the House passed the "dirty water bill" effectively reducing protection for our waterways. The Senate has not yet taken up the issue, and Clinton declared that he would veto it. (See the Summary of the Clean Water Legislation in 1995 -- attached)

A number of Senators have written the Wetlands Regulatory Reform Act of 1995 - Senate Bill 851 -- containing many of the same damaging provisions with respect to wetlands that are contained in the House bill, but differing in that it does not have a "no takings" provision. Furthermore, the definition of wetlands put forth by the National Academy of Science is ignored. The Senate is rumored to be moving the bill separately from the Clean Water Act and will move before the end of the summer. Senator Boxer is on board to fight. We also want Senator Feinstein on board.

#### IV. SPECIAL PRESENTATION: Man-Made Noise in the Sanctuary: Passive Listening -- Dr. Khosrow Lashkari, MBARI

Dr. Lashkari described the Ocean Acoustic Observatory (OAO), a system that monitors the ocean using sound energy or acoustics. The goal of the system is to be able to produce continuous real time acoustic monitoring and observation of the ocean processes. Dr. Lashkari emphasized that his research is passive -- not generating any sounds in the ocean -- and designed to listen to the sounds of the ocean and identify the nature of the source, its time, and its direction.

Dr. Lashkari informed the working group that man-made sounds are easier to identify because they are simpler in nature than natural ones and that noise activity in the Sanctuary can be mapped. Moreover, there is a hydrophone off of the Aquarium -- 1200 feet out and in 35 feet of water -- that currently provides this type of information.

Dr. Lashkari described some data collected via the passive array off of Pt. Sur, using overhead transparencies to illustrate the information. He also discussed a proposal to place a passive array in the deeper water off of Moss Landing that could be used to monitor large vessels. This would be a fixed array, as opposed to one towed from a boat. Dr. Lashkari explained how these tools could be very useful in learning more about underwater noise pollution and to help create a profile of man-made noise in the sanctuary.

Dr. Lashkari's research, to date, has been funded by MBARI and other sources. However, there exists a need for an additional \$250,000 for the off-shore component of the project. The Conservation Working Group recommended that Dr. Lashkari formally present his research to the Research Activity Panel as they might have suggestions-for or access-to needed funding. (NOTE: Dr. Lashkari has since been invited to attend the July 21 meeting of the Research Activity Panel.)

#### V. Action Items/ Brief Updates

1) The final draft of the memo concerning man-made noise in the Sanctuary was presented to the working group and approved as amended. Rachel will present the draft to the Sanctuary Education Panel on Thursday, June 21 and to the Research Activity Panel on Friday, June 23. It is hoped that the memo will be ready for presentation to the Sanctuary Advisory Council at the June 30 meeting.

CWG member, Vicki Nichols, requested that any research on the subject be well-coordinated.

2) A draft of the addendum to the Sanctuary Advisory Council's Annual Report which

highlights the CWG, and the CWG's role statement was provided at the meeting. (See Attachments) Members were asked to review the draft of the Conservation Working Group's addendum to the Annual Report and return comments to Rachel by Monday, June 26.

The meeting adjourned at 12:45 p.m.

Respectfully submitted,

Jane M. DeLay  
SAC Coordinator

enc.        1) Summary of the Clean Water Legislation in 1995 ;  
              2) MBNMS Master NPDES Permit Database;  
              3) Synopsis of the MBNMS Memorandum of Agreement on Water Quality;  
              4) MBNMS Environmental Quality Projects;  
              5) Memorandum: Man-made noise in the MBNMS;  
              6) CWG Addendum to the Sanctuary Advisory Council's 1995 Annual  
              Report

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